

ENGROSSED HOUSE
BILL NO. 1052

By: Hastings of the House
and
Smith of the Senate

(homestead exemptions - amending Section 2 of Article
XII of the Oklahoma Constitution - amending 31 O.S.,
Section 5 - exceptions -
effective date)

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Pursuant to the authority vested
in the Legislature by Section 3 of Article XII of the Oklahoma
Constitution, Section 2 of Article XII of the Oklahoma Constitution
is amended to read as follows:

Section 2. A. The homestead of the family shall be, and is
hereby protected from forced sale for the payment of debts, except
for ~~the~~:

1. The purchase money therefor or a part of such purchase
money, ~~the~~;

2. The taxes due thereon, ~~or~~ for work and material used in
constructing improvements thereon; ~~nor shall the~~ or

3. Child support payments ordered by a court or by an
administrative agency authorized to make awards of child support and
for bogus or fraudulent checks made for the payment of child
support.

B. The owner shall not, if married, sell the homestead without
the consent of his or her spouse, given in such manner as may be
prescribed by law; ~~Provided,~~

C. Nothing in this article shall prohibit any person from mortgaging his or her homestead, the spouse, if any, joining therein; nor prevent the sale thereof on foreclosure to satisfy any such mortgage.

SECTION 2. AMENDATORY 31 O.S. 2001, Section 5, is amended to read as follows:

Section 5. The exemption of the homestead provided for in this chapter shall not apply where the debt is due:

1. For the purchase money of such homestead or a part of such purchase money~~;~~;

2. For taxes or other legal assessments due thereon~~;~~;

3. For work and material used in constructing improvements thereon; or

4. For child support payments ordered by a court or by an administrative agency authorized to make awards of child support or for bogus or fraudulent checks made for the payment of child support.

SECTION 3. This act shall become effective November 1, 2003.

Passed the House of Representatives the 11th day of March, 2003.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2003.

Presiding Officer of the Senate